

12-19-01

A

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December 12, 2001

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10/021368

Attorney Docket No.: 00398-100005

## Box Patent Application

U.S. Patent and Trademark Office  
Assistant Commissioner for Patents  
Washington, DC 20231



Presented for filing is a new divisional patent application of:

Applicant: VIMLA BAND

FR

BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Title: NES-1 POLYPEPTIDES, DNA, AND RELATED MOLECULES AND METHODS

The prior application is assigned of record to New England Medical Center Hospitals, Inc., a Massachusetts corporation, by virtue of an assignment submitted to the Patent and Trademark Office for recording on September 11, 1995 at 7643/0711.

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	43
Claims	9
Abstract	1
Declaration	1
Drawing(s)	7

Enclosures:

- Copy of Petition for Extension of Time in the parent application (U.S. Serial No. 09/605,175)
- Form PTO-1449, 4 pages, listing documents cited in the parent application. Please confirm that these documents have been considered in

### CERTIFICATE OF MAILING BY EXPRESS MAIL

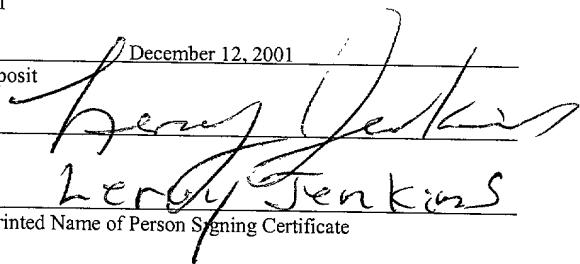
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Leroy Jenkins

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FISH & RICHARDSON P.C.

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December 12, 2001  
Page 2

this application by returning a copy of the Form PTO-1449 with the Examiner's initials.

- Preliminary amendment, 4 pages.
- Postcard.

This application is a divisional application of U.S.S.N., 09/605,176, filed June 28, 2000, which is a continuation of U.S.S.N. 09/201,038, filed November 30, 1998, which is a continuation application of U.S.S.N. 08/628,198, filed April 5, 1996 (now U.S. Patent No. 5,843,694), which is a divisional application of U.S.S.N. 08/467,155, filed June 6, 1995 (now U.S. Patent No. 5,736,377). The disclosure of the prior application is considered part of (and is incorporated by reference in) the disclosure of this application.

Basic filing fee	\$370
Total claims in excess of 20 times \$9	\$0
Independent claims in excess of 3 times \$42	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$370

The filing fee is calculated based on the claims pending following entry of the Preliminary Amendment filed herewith. A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

This application is entitled to small entity status.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (617) 542-5070.

A BRIEF REPORT

# FISH & RICHARDSON P.C.

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December 12, 2001  
Page 3

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

LEE CREWS, PH.D.  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804

Respectfully submitted,

Lee Crews, Ph.D.  
Reg. No. 43,567  
Enclosures  
LLC/mej  
20358869.doc

IC972 U.S. PRO  
10/021368  
12/12/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vimla Band Art Unit :  
Serial No. : Examiner :  
Filed : HEREWITH  
Title : NES-1 POLYPEPTIDES, DNA, AND RELATED MOLECULES AND  
METHODS

## Box Patent Application

Commissioner for Patents  
Washington, D.C. 20231

**REQUEST UNDER 37 C.F.R. §1.821(e) TO TRANSFER  
COMPUTER READABLE FORM**

The Sequence Listing being filed herewith in the above-referenced continuation application, is identical with that filed in U.S. Serial No. 09/201,038, which was transferred from U.S. Serial No. 08/628,198, both from which this present application claims priority. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed in U.S. Serial No. 08/628,198 as the computer readable form for the instant application.

For your convenience, enclosed is a paper copy of the Sequence Listing filed in U.S. Serial No. 08/628,198.

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June 28, 2000

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Linda Wesley

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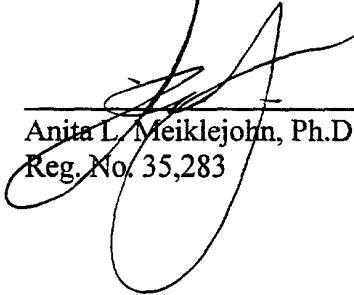
Applicant : Vimla Band  
Serial No. :  
Filed : HEREWITH  
Page : 2

Attorney's Docket No.: 00398-100004

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Respectfully submitted,

Date: 28 JUNE 2000

  
Anita L. Meiklejohn, Ph.D.  
Reg. No. 35,283

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vimla Band Art Unit :  
Serial No. : Examiner :  
Filed : HEREWITH  
Title : NES-1 POLYPEPTIDES, DNA, AND RELATED MOLECULES AND  
METHODS

**Attention: Official Draftsman**  
Commissioner for Patents  
Washington, D.C. 20231

## TRANSMITTAL OF FORMAL DRAWINGS

Please substitute the enclosed 7 sheets of formal drawings for the corresponding drawings presently in the application.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

~~Anita L. Meiklejohn, Ph.D.  
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June 28, 2000